

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

John P. Honnigford,

Case No. 4:20-cv-873

Petitioner,

v.

ORDER

Warden Mark Williams,

Respondent.

Before me is the August 11, 2020 Report and Recommendation of Magistrate Judge Carmen E. Henderson, (Doc. No. 8), recommending I deny *pro se* Petitioner John P. Honnigford's petition for a writ of habeas corpus under 28 U.S.C. § 2241, (Doc. No. 1), and his emergency motion for injunctive relief, (Doc. No. 2), because Honnigford fails to show he first exhausted his administrative remedies. Judge Henderson recommends I dismiss the petition without prejudice and deny the motion for injunctive relief as moot.

Under the relevant statute, “[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court.” 28 U.S.C. § 636(b)(1); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981). The fourteen-day period has elapsed and no objections have been filed.

The failure to file written objections to the Magistrate Judge's Report and Recommendation constitutes a waiver of a determination by the district court of an issue covered in the report.

Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see also Walters*, 638 F.2d at 950; *Smith v. Detroit Fed'n of Teachers, Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (“[O]nly those

specific objections to the magistrate's report made to the district court will be preserved for appellate review").

Following my review of the Magistrate Judge's Report and Recommendation, I adopt the Report and Recommendation, (Doc. No. 8), in its entirety as the Order of the Court. I dismiss Honnigford's petition without prejudice, *United States v. Alam*, 960 F.3d 831, 836 (6th Cir. 2020), and deny his motion for injunctive relief, (Doc. No. 2), as moot. Further, I certify there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge